

August 29, 2022

VIA ECF

Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Planck LLC, d/b/a Patch Media v. Particle Media, Inc., d/b/a News Break, et al.*
Case No. 20-cv-10959 (LGS)

Dear Judge Schofield:

We write pursuant to the Court's August 16, 2022 memo endorsement (Dkt. No. 107), which required that the parties file a letter today providing the status of the parties' settlement negotiations and submit a proposed expert discovery schedule in the event that a settlement has not been reached.

The parties have been diligent in their ongoing settlement discussions and have exchanged multiple confidential settlement proposals since August 16. In fact, proposals were exchanged through the mediator as late as today. However, it is still uncertain whether a settlement can be reached, and therefore the parties provide the following proposed schedule for expert discovery:

1. Opening reports due September 26;
2. Rebuttal reports due October 24; and
3. Depositions completed by November 7.

This proposal is intended to take into account the schedules of the parties' respective experts and counsel, as well as the continued possibility of settlement.

/s/ *Judd Burstein*

Judd Burstein
JUDD BURSTEIN, P.C.

Attorneys for Plaintiff

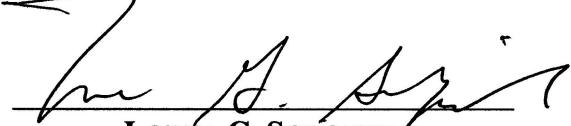
/s/ *Kelly M. Klaus*

Kelly M. Klaus
MUNGER, TOLLES & OLSON LLP

Attorneys for Defendants

Application GRANTED. The parties shall complete expert discovery by the dates listed above. An amended case management plan and scheduling order will issue separately. No extensions of expert discovery will be granted absent extraordinary circumstances, which do not include further settlement discussions or mediation.

Dated: August 30, 2022
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE